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Attorneys for Plaintiff,  
OWEN DIAZ

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

OWEN DIAZ,  
Plaintiff,  
v.  
TESLA, INC. dba TESLA MOTORS, INC.;  
Defendant.

Case No. 3:17-cv-06748-WHO

**DECLARATION OF JAYME WALKER  
IN SUPPORT OF PLAINTIFF'S  
MOTION FOR ATTORNEY'S FEES**

Trial Date: March 27, 2023  
Complaint filed: October 16, 2017

1 I, Jayme L. Walker, declare:

2 1. I am over the age of eighteen, and if called, could testify competently as to the  
3 contents of this declaration. I am a member in good standing of the Bar of the State of California. I  
4 am a partner at the law firm of Gwilliam, Ivary, Chiosso, Cavalli & Brewer, P.C. ("Gwilliam Ivary").

5 2. I am a 2010 graduate of the University of San Francisco School of Law and was  
6 admitted to practice law in California on December 3, 2010.

7 3. From 2010 to January 1, 2016, I was an associate attorney at Gwilliam Ivary. I  
8 specialized in representing plaintiffs in employment litigation, personal injury, and civil rights  
9 actions.

10 4. From January 1, 2016 to the present, I have been a partner at Gwilliam Ivary  
11 litigating the same types of cases on behalf of plaintiffs.

12 5. The firm of Gwilliam, Ivary, Chiosso, Cavalli & Brewer has been in Alameda County  
13 for over 45 years, specializing in the representation of plaintiffs. Over the course of my practice, I  
14 have reviewed hundreds of potential employment cases and represented individuals in single plaintiff  
15 and multiple plaintiff employment cases, and I have recovered millions of dollars on behalf of  
16 plaintiffs in employment cases. Other plaintiff attorneys refer cases to me frequently because of my  
17 reputation and expertise.

18 6. I know Dustin Collier as a speaker at professional conferences who is known as an  
19 expert in the field of employment law and trial advocacy. He generously volunteers his time to  
20 mentor other attorneys and give back to the community, including serving as a faculty member and  
21 lecturer at the California Employment Lawyers Association's ("CELA") Annual Trial College,  
22 teaching at the University of San Francisco's "Intensive Advocacy Program" for law students, and  
23 teaching *pro bono* trial skills courses such as one he just concluded in Fall 2017 at the Navajo Nation.  
24 In fact, I attended the CELA Trial College several years ago, where I met Mr. Collier and personally  
25 saw him in action. He lectured the entire program on persuasion and its application to trial  
26 advocacy, and he was one of my trainers.

27 7. I also know Joshua Socks personally and professionally from the California  
28 Employment Lawyers Association (CELA) and have worked with him on a limited bases on some  
cases. He is dedicated, extremely competent, and highly effective in his role as an employment

1 litigator. I know that Mr. Socks' legal writing and research is an integral part of the Collier Socks  
2 team.

3 8. I also know Elizabeth Malay socially and through CELA. She is an extraordinarily  
4 personable and intelligent person, and I understand she is quickly becoming a formidable trial  
5 attorney in her own right.

6 9. I am familiar with the rates charged by attorneys of comparable skill, expertise, and  
7 experience throughout the Bay Area. I have worked with dozens of Bay Area attorneys and I am an  
8 active member of CELA familiar with the rates charged by other employment lawyers.

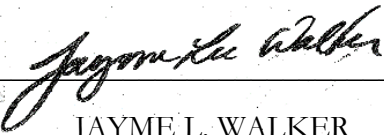
9 10. The rates requested by Collier Law Firm in this motion are certainly reasonable and  
10 in line with the rates of other attorneys in the Bay Area litigating employment cases. This includes  
11 Mr. Collier's requested rate of \$750/hour, V. Joshua Socks' requested rate of \$700/hour, Drew F.  
12 Teti's requested rate of \$550/hour, and Elizabeth Malay's requested rate of \$400/hour, considering  
13 their experience levels and the successful result this team of attorneys had in this and other cases.

14 11. Taking contingency fee cases for low-wage workers is risky and takes just as much  
15 time, effort, and skill as a case on behalf of a technology worker or Chief Executive Officer. In  
16 reality, it often takes more time, effort and skill because, when the economic damages are low, the  
17 case is not taken seriously by defense counsel. That is why attorney fee awards, and more  
18 importantly multipliers, are essential to encourage lawyers to prosecute meritorious cases even when  
19 the plaintiff is a low wage worker that doesn't have the special damages that a higher wage earner  
20 would be entitled to recover. Without a fee award in cases such as these, even attorneys who believe  
21 in the cause will be unable to accept and prosecute claims like these. Workers throughout the State  
22 of California will suffer from the lack of disability discrimination enforcement that prompted the  
23 Legislature to pass FEHA in the first place. Moreover, law-abiding businesses and the public at large  
24 will suffer, as those who violate FEHA with impunity will go unpunished, gain an unfair advantage  
25 over compliant employers in the marketplace, and ultimately come to dominate that market as they  
26 drive their competitors out of business.

27 12. I am informed that the hours incurred by Collier Law Firm on this matter are as  
28 follows: (1) Dustin L. Collier – 272.93 hours; (2) V. Joshua Socks – 83.1 hours; (3) Elizabeth R.  
Malay – 187.4 hours; and (4) Drew F. Teti – 40.9 hours. Based on my familiarity with employment

1 litigation, and trying high stakes civil rights cases in general (including complex, class, multi-plaintiff,  
2 and mass plaintiff actions), and the extraordinary complexity, novelty, and volume of the discovery  
3 and evidentiary record in this matter, I find the hours claimed to be exceedingly reasonable and  
4 utterly necessary to the successful result achieved. I also find the requested multiplier wholly  
5 warranted by the circumstances of this case.

6 I declared under penalty of perjury under the laws of the State of California the foregoing is  
7 true and correct signed this 16<sup>th</sup> day of October, 2023.

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10 JAYME L. WALKER  
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